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COEXISTENCE IN THE FAR NORTH: RECENT NORWEGIAN-SOVIET RELATIONS

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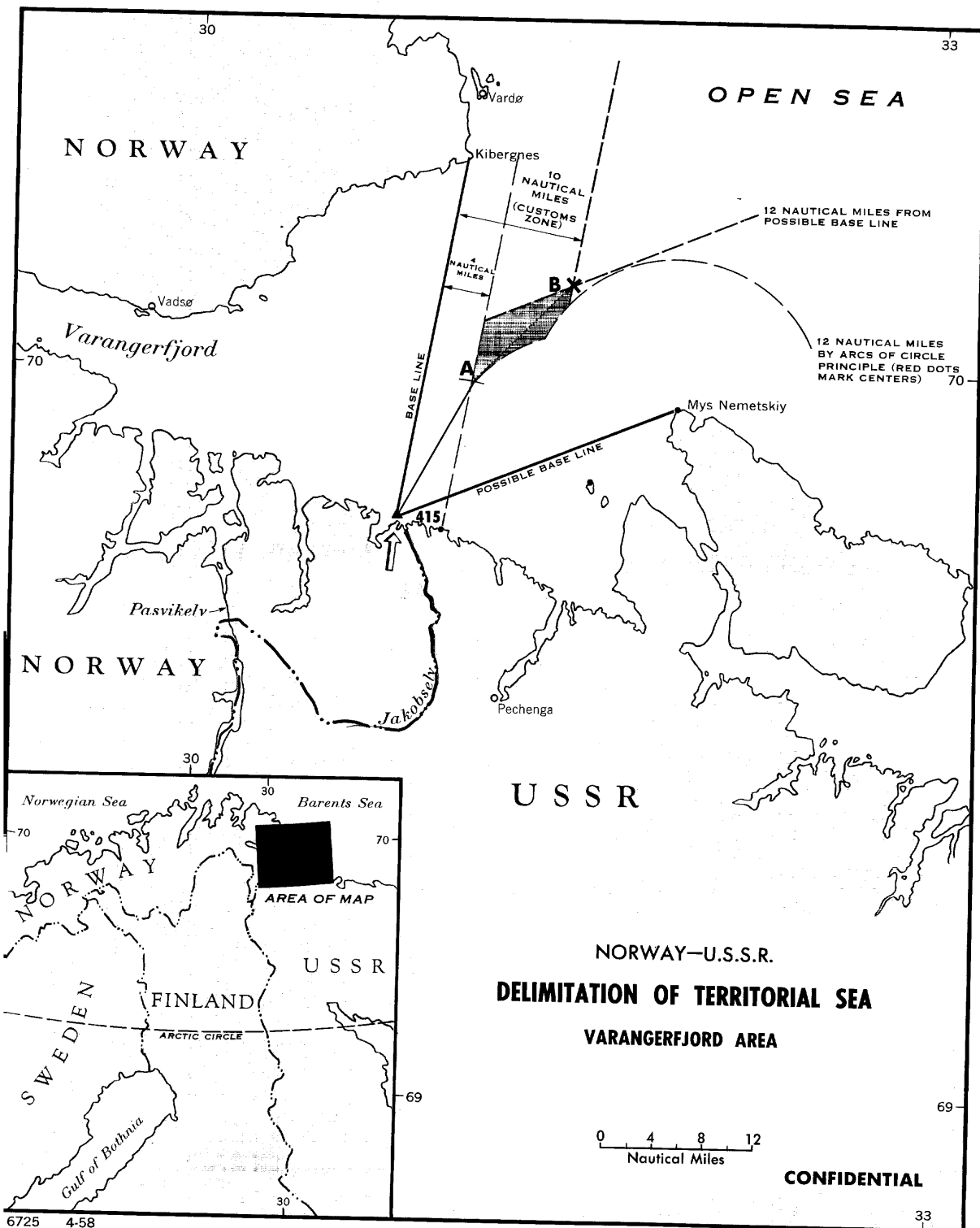
The settlement of the long-standing Norwegian-Soviet sea problem in the Varangerfjord is one in a series of recent events indicating a change in Soviet policy toward Norway. Viewed as a whole, the Soviet moves appear to be designed to convince Norway of the Soviet desire for peaceful coexistence and to weaken Norway's orientation toward the West. As concerns the territorial sea problem, the Norwegian-Soviet settlement has the effect of the sanctioning by Norway of the Soviet claim to a 12-nautical-mile limit at a time when many of the Western governments at the current Geneva Conference on the Law of the Sea are urgently trying to secure world-wide acceptance of a narrower jurisdiction. Norwegian officials, however, emphatically deny the implication that Norway and the USSR have reached an understanding whereby Norway has formally recognized Soviet enforcement of a 12-mile territorial sea limit.

In the past few years, Moscow has directed its efforts toward encouraging contacts of all types with her Nordic neighbors and toward settling issues bilaterally, emphasizing the advantages of friendship and cooperation. Since early 1956, agreements have been reached between Norway and the USSR concerning rescue operations in the Barents Sea, the regulation of seal hunting in the North Atlantic, the provisional settlement of pre-1940 Norwegian compensation claims, continued Soviet purchase of Norwegian salt herring, a long-delayed cultural exchange, and a trade pact for exchange of goods. Of even more far-reaching importance is the agreement for the development of hydroelectric power resources on the Pasvikelv (Pasvik River), which forms part of the boundary between Norway and the USSR. The Soviet offer to accept bids from Norwegian companies for the construction of one of its proposed power plants in this extreme northern region, an area where employment is badly needed, is further evidence of continuing Soviet efforts to gain the goodwill of its Arctic neighbor.

Cooperation between Norway and the USSR does not necessarily mean any significant change in the relations of the Norwegian Government with the West. From a psychological point of view, however, it indicates to the Norwegian people that it is possible to work out practical, mutually advantageous agreements with the Soviet Union. This series of moves in the Far North serves to illustrate the fact that the Soviet Union has by no means limited its economic penetration to the Middle East, Far East, and Africa.

In 1947, agreement was reached concerning the location of the land boundary between Norway and the Soviet Union, and 2 years later the problem of the administration of the border was settled by mutual accord. At this time, only preliminary discussions were held concerning the problem of the territorial sea north of the mouth of the Jakobselv (Jakob River). Since the viewpoints of the two countries and their claims to territorial waters differed radically -- the Norwegians claiming 4-nautical miles and the Soviets 12 -- the Joint Commission decided to keep this question open for future diplomatic negotiations.

Since the end of World War II, the USSR has been involved in a series of incidents concerning its claim to a 12-mile territorial sea. The Soviet claim is based on the existence of three statutes promulgated in 1921, 1927, and 1935, the first of which set the 12-mile limit in the Barents Sea area for fishing rights. After the war, seizures of fishing vessels by the Soviets became increasingly frequent in an effort to discourage nationals of non-Communist countries from fishing in waters adjacent to the USSR.



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In 1956, several Norwegian fishing vessels were apprehended in a contested area of the Varangerfjord, and in an attempt at clarification of the boundary issue the Norwegian cabinet repeated a previous offer to negotiate with the USSR. This time the proposal was accepted by the Soviet Government. Finally, on 15 February 1957, a Convention was signed by Norway and the Soviet Union concerning the territorial-sea limit between the two countries in the Varangerfjord, and on 18 March the Norwegian Storting (Parliament) gave its approval to the ratification of the treaty. The problem had taken approximately a decade to resolve.

Article 1 of this Convention stipulates that the maritime border between Norway and the USSR proceeds in a straight line from boundary post No. 415 (red arrow on map) to the intersecting point of the outer boundary of Norwegian-Soviet territorial sea (point A). Neither of the contracting parties is permitted to extend its territorial sea beyond a straight line (black dotted line on map) drawn from the intersecting point (A) to point B, the midpoint of a line from Mys Nemetskiy (Kapp Njemetsky) to Kibergnes. A joint Norwegian-Soviet Border Commission was appointed to compute the geographical coordinates for intersecting point (A), the outer boundary of Norwegian-Soviet territorial sea, and also for the middle (point B) of the line between Mys Nemetskiy and Kibergnes. The Commission was further instructed to set up buoys showing the direction of the borderline in the sea.

Approximately 10 months later, the Norwegian Statsråd (Council of State), by a Royal Resolution of 6 December 1957, approved an agreement for a "customs zone" between Norway and the USSR. This accord was based essentially on general practice and on the recognition of the fact that the Soviet Union claims a wider belt of territorial sea than does Norway. As early as 1932 Norway had adopted a 10-nautical-mile customs zone. Its recent unilateral extension in the Varangerfjord was limited in its eastward extent by the dotted line A-B. At present the USSR uses the arcs of circles principle to determine its 12-mile territorial sea limit (red dots and arcs on map). The Norwegians are concerned about a possible change in the Soviet method. If the Soviet Union were to adopt the base line principle, which the Norwegians themselves employ, it could run a base line from the mouth of the Jakobselv (boundary post No. 415) to Mys Nemetskiy and from this line measure outward 12-nautical miles (solid red and dashed lines on the map), thus placing the Soviet territorial sea limit partly within the Norwegian customs zone (blue shading on map). Hence, the Royal Resolution of 6 December was aimed at forestalling a possible move to include the blue-shaded area within the Soviet territorial-sea limit. Conversely, Norway basically relinquished all claims to the waters east of the dotted line (red-shaded area on map).

Owing to strategic, economic, and political interests, maritime nations have become increasingly conscious of the need to define the seaward limits of their spheres of sovereignty. When nations proceed to stake claims over adjacent seas by unilateral action, conflicts inevitably develop, especially when there are wide divergences of interest between individual states. Even if universal agreement on the width of the territorial seas should be obtained at the Geneva Conference, which appears unlikely, the problem of the method of determining their outer limits will still remain.

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